

## Message Text

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ACTION CPR-01

INFO OCT-01 NEA-10 ISO-00 JUSE-00 L-03 OPR-02 A-01  
/018 W

-----096140 190926Z /14

R 190640Z AUG 77

FM AMEMBASSY BEIRUT

TO SECSTATE WASHDC 4918

UNCLAS BEIRUT 4046

E.O. 11652: N/A

TAGS: PDIP

SUBJECT: HOST COUNTRY REQUIREMENTS FOR AUTOMOBILE LIABILITY  
INSURANCE

REF: STATE 189095

1. THE SOURCE OF INFORMATION FOR RESPONSE TO QUESTIONS RAISED  
REFTEL IS THE GOL OFFICE OF PROTOCOL, ST. PAUL FIRE AND MARINE  
INS. CO., AND LEGISLATIVE DECREE NO. 105 OF JUNE 30, 1977.  
BE ADVISED THAT THE AUTOMOBILE INSURANCE BUSINESS HAS NOT YET  
DEVELOPED INTO AS SOPHISTICATED AN ENTERPRISE AS THE QUESTIONS  
POSED REFTEL WOULD SUGGEST. RATHER, AFTER THE FIREARM, A  
MOTORIZED VEHICLE IS PERHAPS THE SECOND MOST DANGEROUS WEAPON  
IN LEBANON TODAY.

2. AT PRESENT, EMBASSY BEIRUT HAS IMPOSED A BAN ON THE USE OF  
POV'S. THIS RESTRICTION IS PRESENTLY UNDER REVIEW. IF IT IS  
LIFTED ONE OF THE RULES FOR THE USE OF POV'S AT BEIRUT WILL BE  
THE REQUIREMENT FOR ALL CAR OWNERS TO BE FULLY INSURED.

3. THERE FOLLOWS, IN SEQUENCE, BEIRUT'S RESPONSE TO QUESTIONS  
ASKED REFTEL:

A. YES, BUT THE LAW COVERS BODILY INJURIES ONLY AND DOES  
NOT COVER PROPERTY DAMAGE. FURTHER, THE DATE OF PUTTING THE  
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MANDATORY INSURANCE INTO EFFECT IS YET TO BE DETERMINED  
"BY A DECREE TO BE ADOPTED IN THE COUNCIL OF MINISTERS".

B. THERE IS NO MINIMUM COVERAGE STATED.

C. UNTIL THE DATE OF PUTTING THE MANDATORY INSURANCE INTO EFFECT  
IS DETERMINED, THERE IS NO SPECIFIC REQUIREMENT, BY LAW OR

REGULATION, THAT FOREIGN DIPLOMATIC MISSION VEHICLES AND VEHICLES OF DIPLOMATS BE INSURED.

D. POST POLICY IS TO ENCOURAGE THAT ALL POV'S OF USG PERSONNEL HAVE MAXIMUM COVERAGE AVAILABLE.

E. ARTICLE 13 OF THE LOCAL LAW PROVIDES THAT THE INJURED PARTY AND THE PERSONS ENTITLED SHALL HAVE THE RIGHT TO FILE A CASE DIRECTLY AGAINST THE INSURER. FURTHER, THE INSURER MAY BE SUED BEFORE THE CRIMINAL COURTS IF THE CASE RESULTING FROM THE ACCIDENT WAS PENDING BEFORE THESE COURTS. BEST INFO AVAILABLE TO EMBASSY INDICATES THAT GOL NOT PARTY TO THIS CONVENTION.

F. N/A.

G. N/A.

H. ALL DIPLOMATIC PERSONNEL AND DIPLOMATIC MISSIONS SEEKING AUTOMOBILE LIABILITY INSURANCE CAN OBTAIN IT BY APPROACHING THE RESPECTIVE INSURANCE COMPANIES IN THE COUNTRY. BUT WHETHER THE INSURER MAY MAKE THE INSURED A PARTY TO AN ACTION BROUGHT AGAINST HIM BY THE INJURED PARTY IS SOMETHING THAT HAS TO BE CONSIDERED AND LEGAL ADVICE THEREON OBTAINED.

I. NO. IN FACT, A REDUCTION IN THESE RATES IS USUALLY GIVEN  
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TO DIPLOMATS, AT THE PRESENT TIME.

J. NO.

K. FROM BEST SOURCE AVAILAVLE ANSWER IS NO.

L. SITUATION HAS NOT BEEN SERIOUSLY CONSIDERED AT BEIRUT.

M. RECORDS NOT AVAILABLE TO ANSWER THIS QUESTION.

N. ONCE THE MANDATORY INSURANCE OF VEHICLES IS PUT INTO EFFECT, PERSONS SUFFERING BODILY INJURIES AT HANDS OF DIPLOMATIC PERSONNEL MAY RECEIVE COMPENSATION FROM THE GOVERNMENT OF LEBANON IF THE VEHICLE WAS INSURED BY THE MANDATORY INSURANCE NATIONAL ESTABLISHMENT

HOWEVER, ARTICLE SIXTEEN OF LEGISLATIVE DECREE NO. 105 OF JUNE 30, 1977, ON MANDATORY INSURANCE PROVIDES AS FOLLOWS:

"IN ADDITION TO THE CASES PROVIDED FOR UNDER THE LAW OF OBLIGATIONS AND CONTRACTS, THE ESTABLISHMENT AND THE INSURANCE COMPANIES SHALL, IN THE FOLLOWING CASES, HAVE THE RIGHT TO GO BACK ON THE OWNER OF THE VEHICLE OR THE PERSON RESPONSIBLE

FOR THE ACCIDENT, OR ON BOTH OF THEM, FOR THE REIMBURSEMENT OF THE COMPENSATION THE ESTABLISHMENT OR THESE COMPANIES MAY HAVE PAID TO THE INJURED PARTY:

"1. IF IT BE PROVED THAT THE DRIVER WAS, AT THE TIME OF THE ACCIDENT, INTOXICATED OR UNDER THE EFFECT OF NARCOTICS.

"2. IF IT BE PROVED THAT THE VEHICLE WAS USED FOR OTHER THAN THE PURPOSE DECLARED IN THE REGISTRATION CERTIFICATE OR FOR PURPOSES CONTRARY TO THE LAWS AND REGULATIONS IN FORCE.

"3. IF THE DRIVER OF THE VEHICLE HAD NO VALID LEGAL DRIVING LICENSE THAT IS APPLICABLE TO THE CATEGORY OF THE INSURED VEHICLE.

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"4. IF THE VEHICLE HAS NOT BEEN SUBMITTED TO MECHANICAL INSPECTION AT THE TIME DESIGNATED FOR IT, OR IF IT CONTINUED TO CIRCULATE IN TRAFFIC IN SPITE OF THE REFUSAL TO RENEW ITS CIRCULATION LICENSE, OR IF IT BE PROVED BY AN IRREVOCABLE JUDGMENT THAT THE ACCIDENT WAS THE RESULT OF NEGLIGENCE IN THE MAINTENANCE OF THE VEHICLE.

"5. IF IT BE PROVED THAT THE ACCIDENT WAS THE RESULT OF A GROSS ERROR ON THE PART OF THE DRIVER OF THE VEHICLE AND THIS ERROR HAS INCREASED THE POSSIBILITY OF THE OCCURRENCE OF THE ACCIDENT.

"6. IF IT BECOMES EVIDENT THAT THE INSURANCE CONTRACT WAS CONCLUDED PURSUANT TO FALSE STATEMENTS GIVEN BY THE INSURED OR THROUGH HIS CONCEALMENT OF SUBSTANTIAL FACTS THAT ARE EFFECTIVE IN THE JUDGMENT OF THE INSURANCE COMPANY OR THE ESTABLISHMENT.

"7. IF IT BE PROVED THAT THE PHYSICAL INJURIES RESULTED FROM A WILFUL AND PREMEDITATED ACT, COMMITTED BY THE DRIVER."  
PARKER

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NNN

## Message Attributes

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